

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FRAGRANCENET.COM, INC.,

Plaintiff,

Case No. 09 Civ. 2626 (JFB) (ETB)

- against -

LES PARFUMS, INC., LES PERFUMES,  
INC., ULTRAFRAGRANCES, INC., ULTRA  
FRAGRANCES, INC.,  
ULTRAFRAGRANCES.COM,

Defendants.

AFFIDAVIT OF HUY QUANG LE

STATE OF CALIFORNIA    )  
                                      )       ss:  
COUNTY OF ORANGE    )

Huy Quang Le, being duly sworn, deposes and says:

1. I am an owner of Les Parfums, Inc., Les Perfumes, Inc., UltraFragrances, Inc., Ultra Fragrances, Inc., and UltraFragrances.com (collectively, "Les Parfums"). I submit this affidavit in connection with the previously filed Permanent Injunction and Judgment on Consent, dated March 8, 2010 (the "Judgment").

2. I am familiar with the activities of the officers, agents, servants, employees of Les Parfums and all of its affiliated companies.

3. I am also familiar with the dictates of the Judgment.

4. In this connection, Les Parfums will not:

(a) use in connection with any goods or services or in the manufacture, importation, sale, offering for sale, distribution, advertising, promotion, labeling or packaging of any good or services, or from using for any commercial purpose whatsoever FRAGRANCENET, FRAGRANCENET.COM, or any confusingly similar term, phrase, or mark, including without limitation “fragrance net” and “fragrance.net”;

(b) purchase keywords or the functional equivalent from any Internet search provider for the terms FRAGRANCENET, FRAGRANCENET.COM, or any confusingly similar term, phrase, or mark, including without limitation “fragrance net” and “fragrance.net”; use in the meta tags or anywhere on its Web site(s), whether or not visible to the user, the terms FRAGRANCENET, FRAGRANCENET.COM, or any confusingly similar term, phrase, or mark, including without limitation “fragrance net” and “fragrance.net”;

(c) represent by any means whatsoever, directly or indirectly, that there is any form of association, sponsorship, endorsement, authorization, connection, or affiliation between Les Parfums and FragranceNet or between either party and the goods or services offered by the other party;

(d) identify itself as FRAGRANCENET, FRAGRANCENET.COM, or by any other name incorporating the terms FRAGRANCENET, FRAGRANCENET.COM, or any confusingly similar term, phrase, or mark, including without limitation “fragrance net” and “fragrance.net”; and

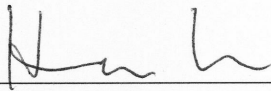
(e). commit further acts of infringement, dilution, passing off, unfair competition, deceptive practices, or misappropriation with respect to any product or service of FragranceNet or bearing any of FragranceNet’s trademarks or variations thereof.

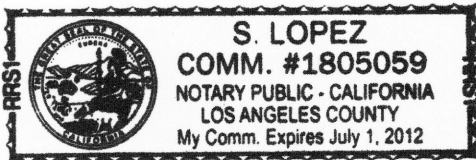


5. Les Parfums, its officers, agents, servants, employees and attorneys, and those persons acting in concert with it, has discontinued all uses of FRAGRANCENET, FRAGRANCENET.COM, or any confusingly similar term, phrase, or mark, including without limitation "fragrance net" and "fragrance.net," including but not limited to uses such as Internet keyword advertising and use in meta tags on its Web site

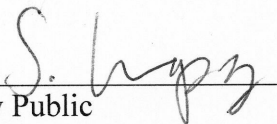
6. I affirm under penalty of perjury the foregoing is true and correct.

Dated: April, 07, 2010

  
\_\_\_\_\_  
Huy Quang Le  
Owner



Sworn to before me  
This 7<sup>th</sup> day of April 2010

  
\_\_\_\_\_  
Notary Public